

a United States District Judge for the Eastern District of Oklahoma.

Following the two judge votes, the Senate will begin a period of morning business until 11:30. Following morning business, the Senate will resume debate on H.R. 2765, the District of Columbia appropriations bill.

The majority leader has stated on a number of occasions his intent to try to finish that bill early this week. The managers will be here again tomorrow, waiting for any additional amendments that may be offered. Therefore, it is hoped we can conclude this bill during tomorrow's session.

As mentioned earlier today, the Senate will begin consideration of the Iraq emergency supplemental just as soon as that bill is available. Rollcalls will therefore occur each day this week on that bill as we press to try to complete it.

Madam President, if there is no further business to come before the Senate—

Mr. REID. If I could say, just before the Senator gives his final statement here, I appreciate very much the majority allowing the time for us to speak. There are a number of Senators on this side who wish to speak. I appreciate very much the thoughtfulness of the Senator from Kentucky and the majority leader in allowing us to go forward on this basis. Having been in his position on a number of occasions, I know how difficult it is to keep people around, but I appreciate his doing it.

ORDER FOR RECESS

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask the Senate stand in recess under the previous order, following the remarks of Senators DASCHLE, HARKIN, and REID.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

BREACH OF NATIONAL SECURITY

Mr. HARKIN. Madam President, I remember when I was a young boy, right towards the end of World War II, and there was a famous sign I saw at the American Legion club in my small town in Iowa. The sign said, "Loose Lips Sink Ships."

Later on when I went into the military and served in the military, I always remembered that, especially when it came to dealing with sensitive information, that we had to be very careful, very cautious about how we dealt with information which, if it got into the wrong hands, could be injurious to the United States of America.

I mention that because if what I have been hearing and reading about in the news media is anywhere near the truth, then we have a very serious breach of national security emanating from the administration. This is no small matter, about the disclosure of the identity

of a CIA agent, an undercover agent, the identity of whom could not only be harmful to that individual herself but to persons with whom she had contact and dealings in other countries.

This July a noted columnist, Robert D. Novak, on July 14, disclosed a covert operative's identity. That is a violation of Federal law. I am not certain Mr. Novak knew that was a violation of Federal law. He should have. He has been in this business a long time. But he printed this disclosure. Where did he get the information? Mr. Novak said he got the information from two senior administration officials. The story goes on to say that:

Yesterday, a senior administration official said that before Novak's column ran, "two top White House officials called at least six Washington journalists and disclosed the occupation of Wilson's wife [who is the undercover agent who was disclosed by Mr. Novak]. 'Clearly it was meant purely and simply for revenge,' the senior official said of the alleged leak.

What happens when a disclosure like this goes out is that if agents in the field are on pins and needles about whether they are going to be disclosed at some time, it is going to threaten our intelligence capabilities around the globe. And in fighting international terrorism, the most important thing we need is not the U.S. military, it is not bombers and missiles or a nuclear arsenal or nuclear submarines—in order to combat and beat international terrorism, what we need is good information. Intelligence—intelligence sharing with our allies. If our agents in the field—working undercover with the contacts, the kind of sources they need—if they believe their identity is going to be disclosed in a newspaper column, what does that say to them about how they can do their business? This threatens our intelligence-gathering capabilities.

In fact, I can think of no single action that probably has done more to hurt our ability to fight international terrorism than this disclosure of this undercover agent's name. I say that because it is going to cast a cloud over those who risk their lives daily who are already out there gathering information to protect our country.

You might ask: What precipitated this? Why was this leaked? Evidently it was leaked because this person's husband had revealed the truth about President Bush's deception in his State of the Union Message about Iraq trying to get uranium from Niger.

This individual, Joseph C. Wilson, IV, former U.S. Ambassador, publicly challenged President Bush's claim that Iraq tried to buy "Yellow Cake" uranium from Africa for possible use in nuclear weapons. Because Mr. Wilson had such good credibility when he put this out, it raised questions about whether the President was being forthright in his State of the Union Message. That is why one senior official said that clearly it was meant purely and simply for revenge.

We have the leaking of an undercover individual's name because her husband

had revealed the truth about the deception in the State of the Union Message.

I don't know who these two individuals are in the administration, nor how high up they are. Mr. Novak said they were two senior administration officials. Another senior administration official said two top White House officials. Who are they? I guess I would have to ask if President Bush is really serious about cooperating and finding out who it was that violated Federal law—a criminal activity punishable by up to 10 years, a felony. If the President is really serious, and he said he was here—Mr. McClellan, the President's press secretary, said it is a serious matter and it should be looked into.

If the President is serious about cooperating and getting the truth out, ABC News "The Note" today posed these questions which I agree should be answered:

Has President Bush made clear to White House staff that only total cooperation with the investigation will be tolerated? If the President has not done this, why hasn't he?

Has the President insisted that every senior staff member sign a statement with legal authority that they are not the leaker and that they will identify to the White House legal counsel who is? If the President hasn't asked his staff to do that, why hasn't he?

Has President Bush required that all of his staff sign a letter relinquishing journalists from protecting those two sources? If he hasn't, why hasn't he?

Has President Bush said that those involved in this crime will be immediately fired? If he hasn't, why not?

Has Mr. Albert Gonzalez distributed a letter to White House employees requiring them to preserve documents, logs, and records? It is very important. Has Albert Gonzalez distributed a letter to White House employees telling them to preserve documents, logs, and records? If he hasn't, why hasn't he?

Has Mr. Andrew Card named someone on his staff to organize compliance with these? If he hasn't, why hasn't he?

These are things the President has to do if he really and truly wants to cooperate, if he truly wants to get these two individuals identified, and if he truly wants to have them prosecuted to the fullest extent of the law, which they ought to be.

This is not some obscure real estate deal out in the middle of nowhere. I repeat this is not some obscure real estate deal out in the middle of some wilderness area. This has to do with our fight against international terrorism and whether or not those who are charged with the responsibility of collecting and gathering intelligence for us will be protected and their identities protected. Or will we send a signal that they are fair game, that someone in the White House can leak their name, that some columnist will print it in the paper and identify them as an undercover agent for the CIA?

This is serious business. The sooner the President of the United States gets

to the bottom of it and complies—and, yes, as soon as we have a special counsel, an independent counsel, not from the Justice Department but a special independent counsel needs to be appointed immediately to make sure that logs, records, and phone logs are not destroyed, that computer files are not erased, and to make sure that we find out who it was who did this to our intelligence communities. Nothing less than a special counsel with full investigative powers, with the full powers of subpoena, nothing less than that will suffice to clear this up and to assure the American people that the President and those close around him had nothing to do with this.

Mr. REID. Madam President, will the Senator yield?

Mr. HARKIN. I yield to my friend from Nevada.

Mr. REID. I haven't heard all of the Senator's statement, but what I have heard leads me to believe after having read about this myself that whoever did this is a traitor. Whoever leaked this is someone who has subjected someone who is an undercover spy for this country to being murdered. I think that it even puts the columnist at risk, Bob Novak, who I like very much. I don't always agree with his politics, but he is a person who has always been very good to me.

I am very happy that the Senator from Iowa has weighed in on this.

I also acknowledge that something should be done. It is my understanding that the majority and the Democratic leader, the ranking member of the Foreign Relations Committee, the ranking member of the Defense Committee, and the ranking member of the Intelligence Committee have written a letter to the Attorney General and the President tonight calling for just what the Senator from Iowa has asked—that there be a special counsel selected to go into this. Some of the things that the special counsel went into during the last few years are minor compared to the gravity of this.

I personally applaud and congratulate the Senator from Iowa for bringing this to the attention of the people of America.

Mr. HARKIN. I thank my friend from Nevada. I am glad to hear that those individuals have sent a letter to the President and to the Attorney General. I hope our friends on the other side of the aisle will do the same. I hope the majority leader and the chairmen of those respective committees will do the same and ask for a special independent counsel.

The word "traitor" is not misleading. It is not trying to blow this out of proportion. I think the Senator is absolutely right. Whoever leaked this and put not only this agent at risk—think about all of the contacts this agent had in other countries. Think about the chilling effect this puts on our intelligence gathering to combat international terrorism. The word "traitor" is certainly not going beyond the bounds.

I think the Senator is right. This is not some obscure little thing. This is not some obscure real estate deal out in the middle of nowhere. This affects the security and safety of our country.

I don't know who did this. But they have to be punished.

Mr. REID. Will the Senator yield for another brief comment?

We have had some espionage people who have turned on us in recent years. They have had very high publicity. I think of the man in Kansas who turned and became a double agent, so to speak, which led to the deaths of American operatives in other countries.

Is this any less than that? It is on the same plane. Whoever did that is certainly guilty of crimes—not punishable by death, perhaps, as Hanssen was subject to, but certainly punishable for many years in Federal prison. I appreciate the Senator bringing this to the attention of the American people through speaking in the Senate.

Mr. HARKIN. I thank my friend.

A CROSSROADS FOR U.S. ENERGY POLICY

Mr. REID. Mr. President, last month a power blackout stranded millions of commuters and shut down businesses in the northeast and midwest. A few weeks later we saw the sharpest weekly increase ever in gasoline prices, just in time for Labor Day. And in Nevada, California and other western States, consumers are still smarting from energy market manipulation by Enron and other companies.

It is clear, as President Bush recently pointed out, that our Nation desperately needs an energy policy.

But not just any energy policy. It must be the right policy, one that protects consumers, safeguards our environment, and bolsters our national security.

That means we must ensure the reliability of our electricity markets, make a serious commitment to conserve energy, balance the interests of big oil companies against the interests of consumers, and kick our addiction to oil from the Middle East.

Unfortunately, some of the ideas that seem likely to emerge from the conference committee on the Energy bill would make matters worse, not better. Although the need for a new energy policy is urgent, we must not be stampeded down the wrong path.

The Environmental Protection Agency took a dangerous step in that direction just a few weeks after the August blackout, when it relaxed pollution rules for some electric power plants.

Allowing old plants to spew more pollution into our air is not the way to create a reliable supply of electricity. It is certainly not a good thing to spew this into the air for my children and my grandchildren. Instead, we must develop our abundant sources of clean, renewable energy: water, the wind, the sun, and the heat within the Earth.

These resources can provide steady, reliable power that is not subject to

wild market swings, protecting consumers from shortages and price spikes. Developing renewable energy also creates new jobs. And renewable energy is made in the USA, not subject to the whims of foreign powers.

I am proud that Nevada is a leader in developing our renewable resources. By 2013, the State of Nevada has committed to produce 15 percent of our electricity from renewable sources. State initiatives like this are important and good.

These State initiatives that require a certain percentage of electricity is generated from renewable energy is spurring the growth of geothermal power in Nevada, California and other western states.

Our Nation also needs to set an ambitious but attainable goal for developing renewable energy. Unfortunately, it appears that the conference committee will not include such a goal in the bill that will be offered for our consideration.

We not only need goals for renewable energy, we need incentives that will help us reach them.

Thanks to rapidly improving technology and tax incentives, development of wind power has exploded in the past several years.

I have introduced legislation to expand the production tax credit from wind to include geothermal and solar power. This bipartisan legislation, cosponsored by Senator SMITH of Oregon and 14 others, would also extend the tax credit so businesses could invest in renewable energy with more certainty.

If we are serious about an energy policy that helps consumers and our environment, these provisions must be included in any eventual agreement with the House.

Another bad idea that is being promoted as the panacea for our energy problems is nuclear power.

Nuclear power sounds okay until it is time to dispose of the dangerous radioactive waste. Then nobody wants the stuff anywhere near their community including those scientists who insist it is "safe."

As most of my colleagues are aware, Nevadans are fighting a plan to dump the Nation's nuclear waste at Yucca Mountain, about an hour away from the fastest-growing urban area in the country, Las Vegas. We want our State to be a proving ground for renewable energy, not a dumping ground for nuclear waste. That should also be the thrust of our national policy for producing more electricity.

When it comes to fueling our cars and trucks, we have to kick the Middle East oil habit. It compromises our national security and leaves consumers vulnerable to market manipulations by nations like Saudi Arabia, which contributed to the recent spike in U.S. gas prices by slashing exports.

Unfortunately, we can not drill our way to energy independence. The U.S. currently uses 25 percent of the petroleum produced in the world, yet we